

FOX ROTHSCHILD LLP

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Glory Foods, Inc., and McCall Farms, Inc.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Ellsworth D. Patterson, Jr. and
Karen Patterson, individually & as h/w,

Plaintiffs,

vs.

Glory Foods, Inc.; McCall Farms, Inc.;
and John Does 1-10,

Defendants.

Civil Action

Docket No.: 3:10-cv-06831-FLW-TJB

**ORDER OF PARTIAL DISMISSAL
WITH PREJUDICE**

THIS MATTER, having been brought before the Court upon the application of Defendants, through their counsel, Fox Rothschild LLP (Francis V. Cook, Esquire, appearing), for the issuance of an Order Partially Dismissing Plaintiffs' Complaint pursuant to Rule 12(b)(6).

IT IS on this _____ day of _____, 2011;

ORDERED that:

- 1) Defendants' Motion is **hereby granted**;
- 2) Count One of Plaintiffs' Complaint is dismissed with prejudice;
- 3) Count Three of Plaintiffs' Complaint is dismissed with prejudice;

4) Defendants' counsel shall serve a copy of this order upon Plaintiffs within seven days of receipt hereof.

Hon. _____, J.S.C.

Dated: _____, 2011

This motion was:

____ opposed;
____ unopposed.

The decision of the Court was:

____ oral and placed on the record on _____;
____ written.